

1) 16
Previous references.

* 109-10

1-2

Later references.

1911.

(~~XXXXXX~~)

Police

File No. 243-10

Serial Nos. 1-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B. for

September 18/11

SUBJECT.

inquiring regarding the conduct of Police Inspector
Tehmanga in the investigation of Sessions case
No. 8 of 09-10 on the file of the Asst Sessions Judge
inoga -

The S.G. of Police in Mysore - 7453/716 of 24.6.11
states that enquiries show that the action of the Police
Inspector was bona fide & that he may be reinstated
in his former post

The S.G. of Police - ~~that~~ No. 91095/30.9.11
directs that the Inspector in question may
be reinstated from 1-7-11.

CR. D. Naion

20/10/11

GENERAL AND REVENUE SECRETARIAT

(Police)

NOTES.

FILE HEADING.

Enquiry regarding the conduct of Police Inspector
 Latekhar in the investigation of serious case
 of 09-10 on the file of the Asst. Sessions Judge, Shu

From

The I. G. of Police in Mysore.

No. 7453-716

Dated 24.4.11

Received 26.6.11

Diary No. 73/87

Enclos. one file Spare Copies -

Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that on going through the records and after careful enquiries he is convinced that the inspection action in the investigation of the case was bona fide that there was no concocting of evidence and requests sanction to re-instate the Inspector who has been

placed under suspension in pursuance of G.O. no. 11829-3

76S 109-10-2 dt/17.12.10.

NOTES AND ORDERS.

! When the records of this case came up to govt. for considering the desirability of filing an appeal against the order of acquitted passed by the Asst. Sessions Judge, ^{they} directed the I. G. P. to make

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76 Pts 4

a careful and thorough enquiry regarding the conduct of Inspector Latchmanna as commented upon by the Asst. Sessions judge in paras 39, 40, 41 & 45 of his judgment and to place the Inspector or under suspension pending the result of the enquiry. The I.G. now reports that after making enquiries and perusing the records he is convinced that the action of the Inspector was bonafide and that there was no concoction of evidence. It is also stated that the Lt. Officers, viz., the Dy. Commr. and the Supdt. of Police agree with him in the above view. The I.G. therefore requests that the Inspector may be reinstated.

2) The records of the case and the explanation of the Inspector together with his Special Diaries are forwarded.

Subd. for orders.

B.G.
ET/19-7-11 SN
19/7/11

~~It is recommended that the Inspector be reinstated.~~
~~It is recommended that the Inspector be reinstated.~~
~~It is recommended that the Inspector be reinstated.~~
It is recommended that the Inspector be reinstated.

3) The view we have to take of Latchmanna's explanation depends

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more or less on the view we take of the original case. If it is held that it is a false case then the finding of the Comamoy when between the steps on the river bank ~~can~~ ^{could} not possibly ^{be} and the structures of the assist Sessions Judge in paras. 41 & 42 of his judgment regarding the character of the two punchayat-dars and the identity of the stranger-traveller in the gutka will be ~~shown~~ ^{shown} only too well deserved. If on the contrary it is held that the original case was a true case then it is possible to take a more ^{favourable} ~~charitable~~ view of Lakshmanuj's conduct. The story of the find will in any case appear as a clumsy affair but ~~that may be due~~ in the event of the latter view of the original case being accepted, this may be ascribed to Lakshmanuj's stupidity rather than to concoction.

4) The other matters subjected to detailed criticism by the 1st assist Sessions Judge refer to Lakshmanuj's failure to report to the Amildar the fact that the accused was about to give information ~~as to the~~ ^{as to the} lead...

f V. K. K. K. K.

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No.

to the recovery of the property, his omission to ~~send~~ ^{attach} a copy of the special diary for 2nd March when he applied to the Amildar for remand ^{of the accused} failure to mention in the ^{Special} ~~diary~~ ^{report} the accused's promise to show property and the delay in the submission of the Charge Sheet though the investigation of the case had been practically completed by the Postal Department. On this last point the Inspector's explanation appears to be entirely satisfactory. He arrested the accused on the 7th March, took him to Thuthahally on the night of the 2nd ~~idam~~ (distance - 36 miles) and obtained a remand on the 3rd and returned to Sreemoga immediately - on the same day - along with the accused. He submitted a Charge Sheet on the 14th and in the interval he has taken some very necessary steps for completing the investigation. He received a copy of the statements made by the witnesses before the Postal Inspectors from that office after the 3rd March and on the 6th he learnt from the Complainant that two persons

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and Venkata Pujari were present at
Melpri when the addresses opened the
registered cover. He at once arranged to
have these persons examined by the Police
of S. Canara and also summoned the
addresses to appear before him ~~at~~
~~the~~ at Thirukhelli - which they did on
the 12th. On that ~~13th~~ ^{day} he took down
their statements and the next day he
received the statements given by
Ishmail Sab and Venkata Pujari before
the S. Canara Police. He immediately
prepared a Charge Sheet ~~and~~ and
forwarded it to the Court where it was
received on the 14th or 15th. It can not
therefore be said that the delay of
12 days is in any way suspicious.

5) If the story of the suspect is
true then the accused must have
expressed his intention to confess
on the 2nd March either on the way to
Thirukhelli or soon after arrival there.
The next morning the Inspector saw the
Amildar and applied for a remand.
In the application for remand he did
not state anything about the accused
promise. Seeing that the accused was a

x. All these facts
are supported by the
entries in the Inspector's
Special Diary for
the period.

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* or at least
attached a copy of
the Special Diary
for the 2nd March
to the remand
application. This
he did not do and
now explains the
omission as due
to lack of time to
make out a copy of
the diary. But
it is seen that ~~the~~
the diary for the 2nd
is not very long
Sf

man. Some intelligence is shown and
might ^{therefore} ~~therefore~~ ^{have} changed his mind at any time.
Laks'maiya could not be said to have
been wrong in not making mention of it
in the written application to the Amildar.
As it turned out. Eventually, it might
perhaps have been better if he had
mentioned it but considering the
matter from the Inspector's standpoint
on the morning of the 3rd March, his omi-
ssion does not appear to be very serious.

6) As to whether he orally apprised
the Amildar about the accused's promise
Laks'maiya has made two contra-
dictory statements which he has
attempted to reconcile in his explanation.
The probability is that he did, in a
sort of informal way, intimate the
fact to the Amildar though he did not
put it into writing. In any case the
evidence of the Amildar - if he had been
examined in the case - would have been
of some real value.

7) All the suspicion which
now attaches to the story about the
accused's promise to confess and
show the property would have been cleared

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if the date of receipt of the Special
Diaries in the Amildar's office had been
duly noted. As it is only the date
of despatch to the District Police Office
is noted. The Diary for the 2nd as well as
for the 7th and 3rd March have all
been ~~despatched~~ despatched on the 7th idam.
Similarly delay has occurred in the
~~submission~~ by the Amildar's Office
with respect to the diaries in the case
for the last week of February, that is,
prior to the ^{date of the} arrest of the accused.

8) The S.D. of Police, the
Deputy Commr and the D.S.P.
are all of opinion that the conduct of
the Inspector in the case is not open to
suspicion. The S.D. recommends that
he may be reinstated.

28/7/11. Sd—

9) ^{due} With deference to the view taken by
the Asst Sessions Judge, the possibility
of the case being true should also
be borne in mind when judging
of the conduct of the Police Inspector.

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His explanation seems to be straight forward and satisfactory & beyond ^{the} merest surmises there is nothing to show that the Inspector concocted any evidence or connived at any such concoction. Perhaps the Inspector would have acted more wisely than he did if he had secured more respectable panchayats & a larger number of them when the property was discovered but judging from the ways of criminals there is nothing inherently impossible in a currency note having been ^{kept} concealed in a crevice as stated.

10) The Inspector may be reinstated with effect from the date of suspension.

(Stc L Dewani) — CSB
19/8/11
38
19/8/11

11) I made some enquiry when I was in Shimoga in Feb last. The case was a true one and the Asst

R. S. 12]

General and Revenue
Secretariat.

Mia File No. 263 of 1910-11

356
27. 8. 11

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No.

Sessimo Judge appears to have taken an erroneous view of the case altogether. At all events his denunciation of the conduct of the Police Inspector cannot be upheld.

12 Please see my remarks in another file, dated 1st Dec 1910. The local officers & the Dy. of Police unanimously say that the Police Inspector is not guilty of the enormities attributed to him. I am also of the same opinion. The Inspector may be reinstated from date of suspension.

HTN
26/8/11
SA
29/8/11

13279.
29. 8. 11

13)

As observed by the Assistant Secretary "the story of the find of 'the currency' notes in a crevice ~~in~~ the steps ~~of~~ ^{on} the river side is in any case a clue

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No.

affair " I too made some careful enquiries when I was in the Shimoga Distt and arrived at the conclusion that while the case as a whole 'is a true one' the currency note had passed from the accused to one or two other persons before it was concealed in the crevice. These persons ~~are~~ or one of them could not have escaped the knowledge of the Inspector and it is a question whether that person is also not indictable. I have no objection to the Inspector being restored to office with effect from 1st July 1911; and ~~he~~ should be posted to another District -

14)

Jttd 14 Sep 11

Punp draft submit to 182

Jttd

Jttd
16 Sep

15/9/11

11/9/11

Serial
No.

B.S. SN (11) 16)
25/9/11

Draft subo.

21/9/11 SA

17, I am not sure that all
the remarks contained in the
Deewan's order were intended
to be embodied in the G.O.

18. all except the last sentence
issue.

19. Done
25/9/11

BR
25/10/11

2 To The I. G. P. no. J 10958/30-9-11

Directs that the Inspector be
reinstated with effect from 1.7.11.

III
26/6 AM *File*
Secy/ 19 — 19 *3187*

From

The Inspector-General of
Police in Mysore.

To

The Secretary to the Govt. of
H. H. the Maharaja of Mysore,
Gen. and Rev. Depts

Dated

Despatched

Received

General No.

24.8 June 1911
7453
716

Enclosure No. *one file as per Pharis*

Requesting the reinstatement of
Inspector Latchmayaraja of 2
Soralah Taluk.

*This should be
dealt to
and in
Sent -*

No. 7453
716

Encl. one file as per Rhovist ✓ 510 /

OFFICE OF THE INSPECTOR-GENERAL OF POLICE IN MYSORE.

Dated Bangalore, 24th June 19 11

file no. 243-11
Sl. no. 1

FROM

D. Devaraj Urs Esquire,
Inspector-General of Police in Mysore.

TO

C.S. Balasundaram Iyer Esquire, B.A.,
Offg. Secretary to the Government of H. H. the Maharaja of Mysore,
General and Revenue Department

SIR,

With reference to para 3 of Government order No.1829-31/Cts.109-10-2 dated 17-12-1910, directing a thorough and careful enquiry being instituted regarding the conduct of Police Inspector Latchmaiya as commented upon by the Asst. Sessions Judge, Shimoga, in paras. 39, 40, 41 and 45 of the judgment in Sessions case No.8 of 1909-10, I have the honor to state that on going through the records and after making careful enquiries in the matter I am convinced that the Inspector's action in the investigation of the case has been bonafide and that there has been ^{no} concoction of evidence. I spoke to the Deputy Commissioner and the District Superintendent of Police in the matter and also personally examined the Inspector. The District officers are one with me in thinking that the Inspector is incapable of concocting any evidence, being more or less stupid.

2. The whole file of records together with the explanation of the Inspector is herewith forwarded for reference, and return when no longer required. I would request that sanction of Government may be kindly obtained to re-instate the

. 2

Inspector from suspension ordered in the Government
Order under reference.

I have the honor to be,

sir,

Your most obedient servant

M. Lakshmanadasastry

In Insp.-General of Police.

*E
13/6*

G.R.S. 28]

187
159

Police

File No. 243-10

Serial No. 2

Diary No. of letter replied to

Proceedings of the Government of His Highness
the Maharaja of Mysore.

GENERAL AND REVENUE
SECRETARIAT.

(Police)

READ—

765

G.P. no. T1829-31-cls 109-10-2

, the

19

dated the 17th December 1910

Date of issue 20-9-11

requesting the I. G. Police in

Signed by Mr. H. H. H. H. H.

Mysore to institute an enquiry
into the conduct of Police Inspector

ORDER THEREON. No.

regarding

Catchment of Tirthalli

His conduct in

the investigation of the Arja

Post Office case (case no. 8 of 1910)

on the file of the Dist. Session

Judge, Shimoga) and directing

over.

SUBJECT,

~~in suspension pending the result~~
~~of the enquiry.~~

2. Letter no 7453-716 dated
24th June 1911 from the I.G.
Police in Mysore stating that
after going through the records
connected with the case and after
making careful enquiries in
the matter he is convinced
that the Inspector's action in
the investigation of the case
was bona fide and that there
was no concoction of evidence
in the case requesting sanction
to reinstate him.

Order thereon: No. J 1055/P.O. 243-10-2 End 3

The I.G. Police and the
other officers are of opinion that
Inspector's conduct in the
case is not open to suspicion.
A perusal of the records and
explanation of the Inspector Govt. are of opinion
that ^{though} the case as a whole

9 20/9/11